



# Judicial Conduct Commission Annual Report

Fiscal Year 2017-2018

## Commission Members

Stephen D. Wolnitzek, Chair  
Covington

Judge Jeff S. Taylor  
Owensboro

Judge Eddy Coleman  
Pikeville

Judge David P. Bowles  
Louisville

Michael A. Noftsgger  
Somerset

Dr. Don I. Tharpe  
Nicholasville

## Alternate Members

R. Michael Sullivan  
Owensboro

Judge Glenn E. Acree  
Lexington

Judge Mitch Perry  
Louisville

Judge Karen A. Thomas  
Newport

## Commission Staff

Ms. Jimmy Shaffer  
Executive Secretary

J. Rachel Noyes  
Executive Assistant

## Judicial Conduct Complaints:

In the 2017-2018 fiscal year, the Commission considered 241 complaints. The Commission concluded 219 complaints, eleven of which resulted in imposed sanctions:

### Seven Private Admonitions

### Three Public Reprimands:

1. [Judge W. Mitchell Nance](#) - The Commission initiated formal proceedings against Judge Nance on September 11, 2017. Judge Nance submitted his resignation on October 25, 2017, effective December 16, 2017. The hearing on the formal charges was held on December 15, 2017. Findings of Fact, Conclusions of Law and Final Order was entered, on December 19, 2017, which publicly reprimanded Judge Nance for violations of Canon 1, 2A, and 3B(1),(2), and (5).
2. [Judge Charles Cunningham, Jr.](#) - Violations of Canon 2D, 3, and 3B(1).
3. [Judge Sandra McLaughlin](#) - Violations of Canon 1, 2A, 3B(7), and 3E(1).

### One Suspension:

1. [Judge Timothy A. Langford](#) - 60-day Suspension without pay for violation of Canons 1, 2A, 2D, 3B(7) and (8).

## Complaints for FY 2017-2018:

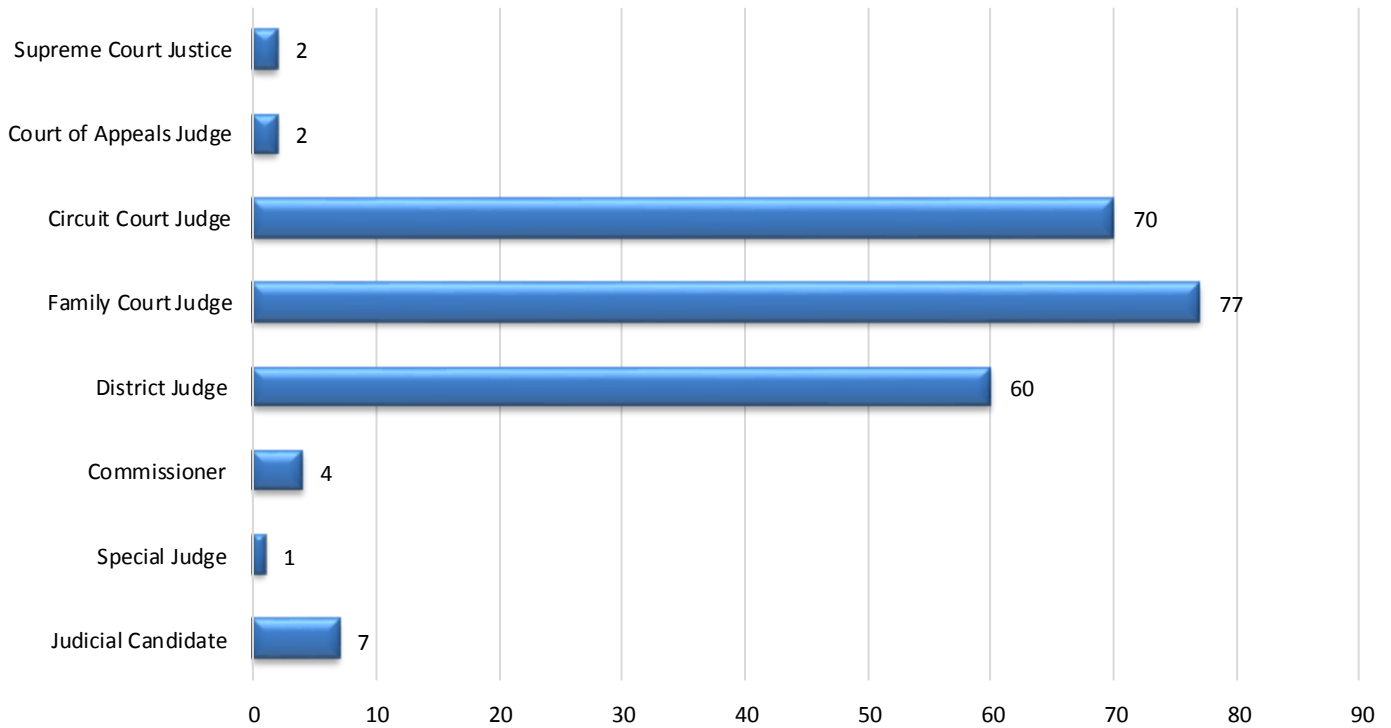
- **13** - Number of complaints pending final consideration at the beginning of the fiscal year.
- **5** - Number of complaints pending initial consideration at the beginning of the fiscal year.
- **223** - Number of new complaints received during the fiscal year.
- **12** - Number of complaints pending final consideration at the end of the fiscal year.
- **10** - Number of complaints pending initial consideration at the end of the fiscal year.
- **219** - Number of complaints disposed of during the fiscal year.

## Jurisdiction:

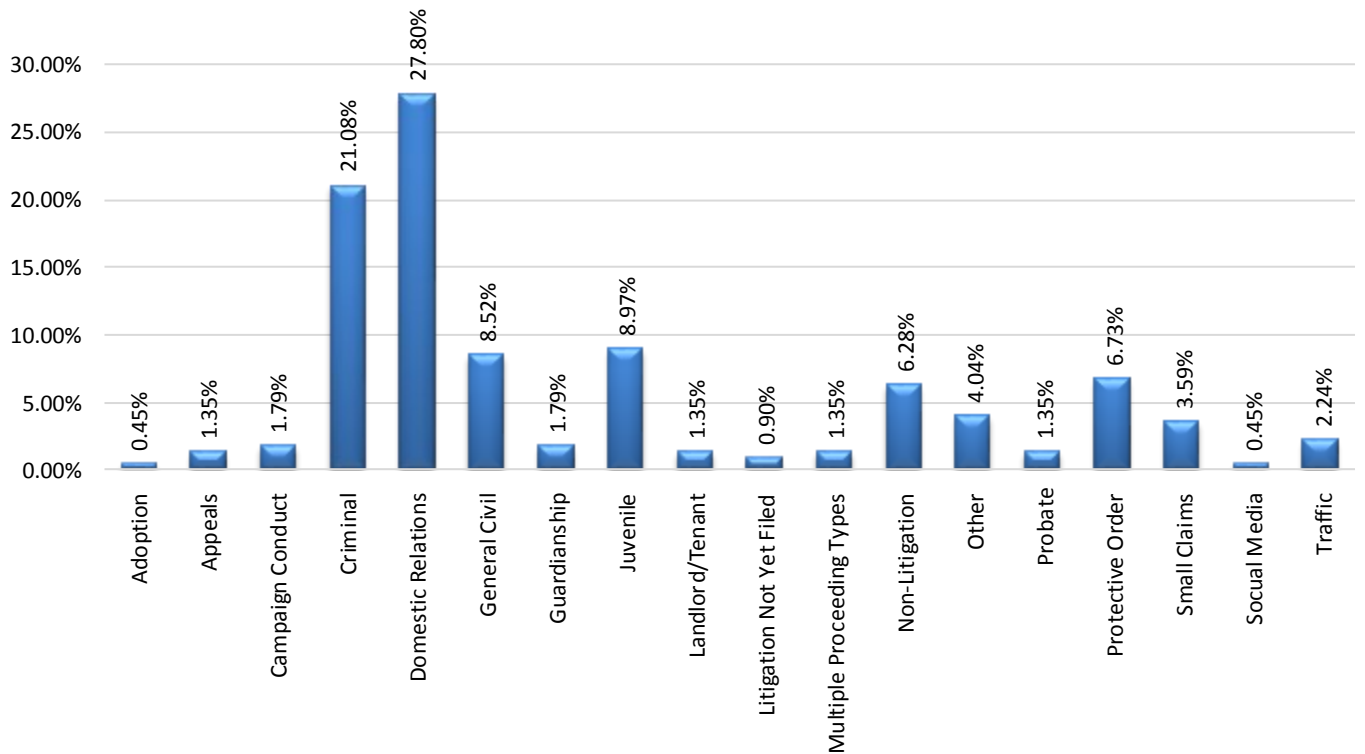
Judicial positions in the Commonwealth of Kentucky within the jurisdiction of the Commission: 7-Supreme Court, 14-Court of Appeals, 95-Circuit Court, 52-Family Court, 116-District Court, 60-Trial Commissioner, 120-Master Commissioner, and 18-Domestic Relations Commissioner. Additionally, the Commission has jurisdiction over attorneys who have filed as candidates for judicial office, special judges and participants in the retired judge program under circumstances outlined in the Code of Judicial Conduct.

Judicial Conduct Commission  
P.O. Box 4266  
Frankfort, KY 40604-4266  
Phone: 502-564-1231  
Fax: 502-564-1233

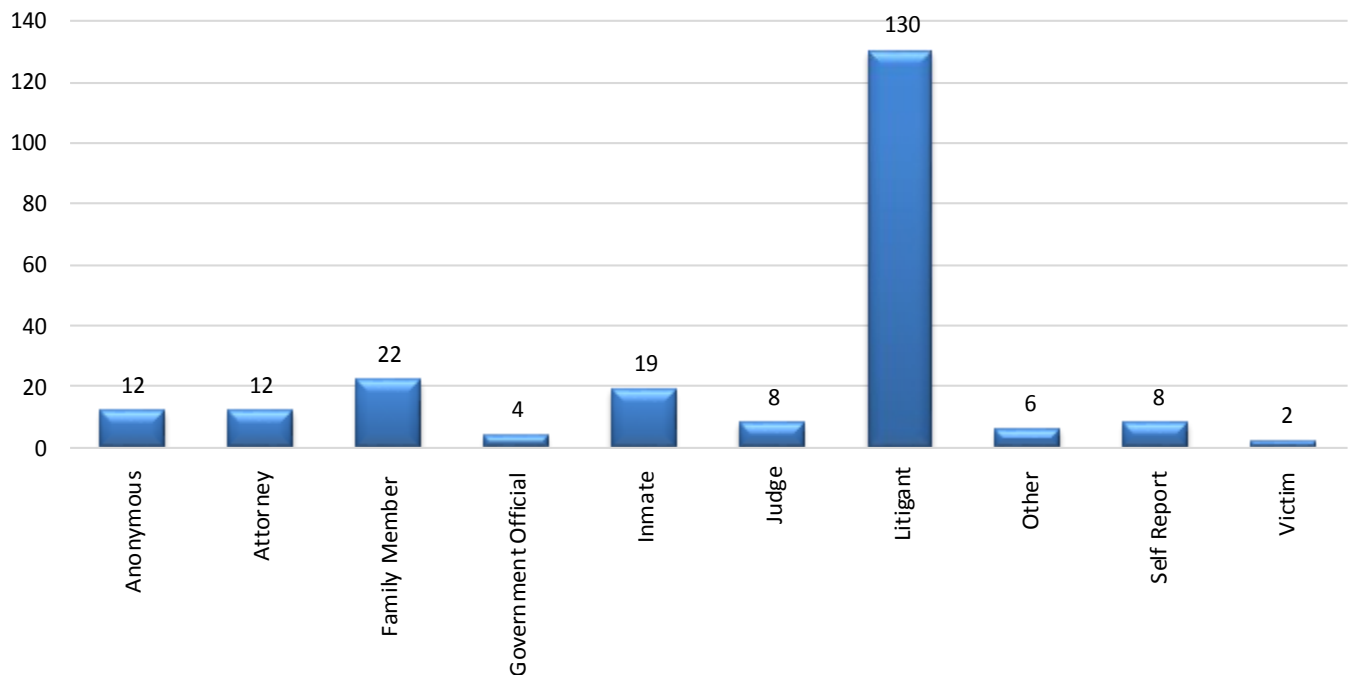
### Number of Complaints by Judicial Position:



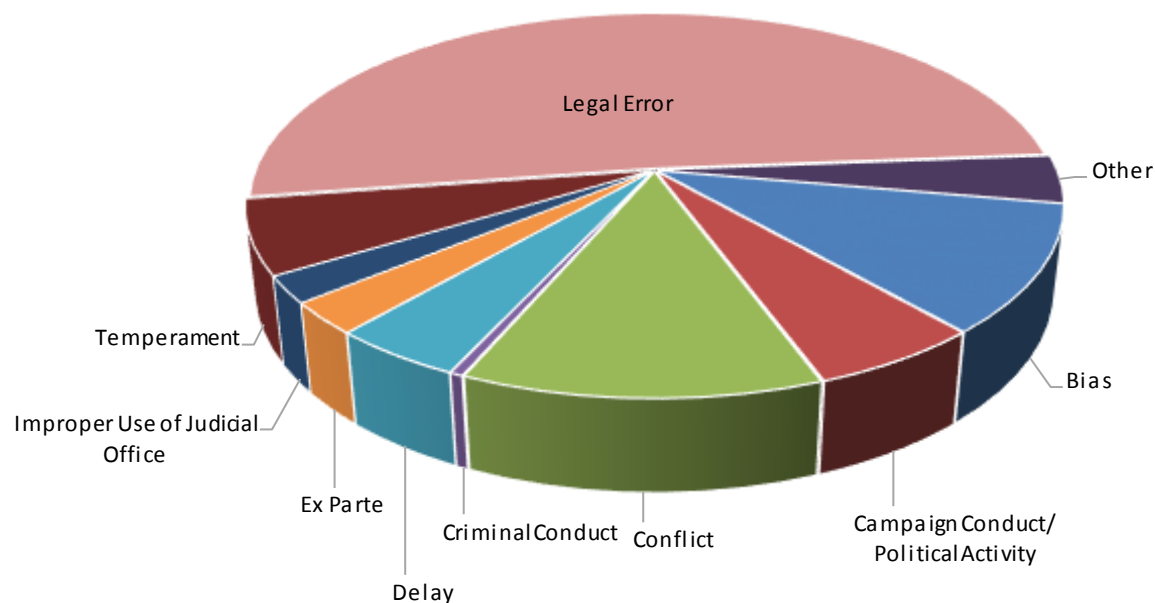
### What Types of Proceedings Resulted in Complaints?



## Who Filed Complaints?



## What were the Allegations?



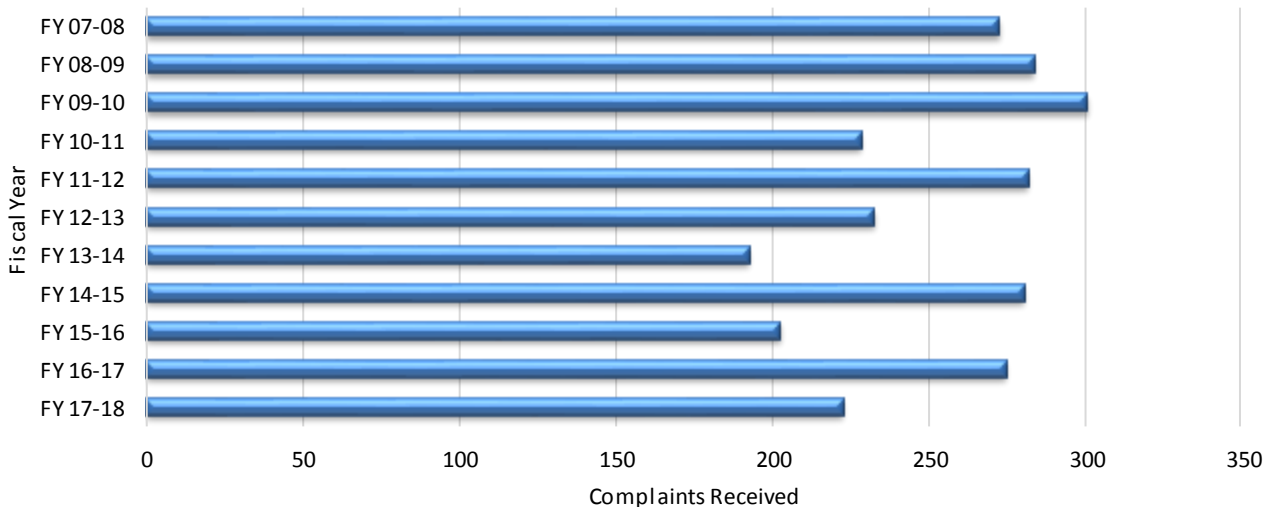
## Complainant Representation in Court:

- ◇ 55.16% were represented by counsel
- ◇ 26.91% appeared *pro se*
- ◇ 12.11% not applicable (non-litigation)
- ◇ 3.14% were represented by counsel, then appeared *pro se*
- ◇ 2.69% unknown (unspecified in the complaint)



**2017-2018 Presentations:**

- **2017 District Judges College** — Presentation on judicial ethics by Judge David Bowles and Judge Karen Thomas, September 2017.
- **2017 Circuit Judges College** — Presentation on social media and judicial ethics by Judge Eddy Coleman, Judge David Bowles, and Judge Jean Logue, on October 2017.
- **Kentucky Law Update** — Presentation on the Judicial Conduct Commission annual report statistics by Judge Jeff Taylor, in Owensboro, on October 19, 2017, and in Bowling Green, on November 2, 2017.
- **Southern Kentucky Association of Paralegals** — Presentation focused on ethical rules of candor and misrepresentations as pertains to attorneys and staff under SCR 3.130. The presentation also included discussion of ethical issues for judicial legal staff under SCR 4.300. Presented by Judge Jeff Taylor, in Bowling Green, on December 17, 2017.

**10 Year Complaint History****About the Judicial Conduct Commission**

The mission of the Kentucky Judicial Conduct Commission is to protect the public, to encourage judges, commissioners and candidates for judicial office to maintain high standards of conduct, and to promote public confidence in the integrity, independence, competence, and impartiality of the judiciary.

The Commission accomplishes this mission through its investigation of complaints of judicial misconduct, wrongdoing or disability. In cases where judges, commissioners and candidates for judicial office are found to have engaged in misconduct or to be incapacitated, the Kentucky Constitution authorizes the Commission to take appropriate disciplinary action, including issuing admonitions, reprimands, censures, suspensions, or removal from office.

<http://courts.ky.gov/commissionscommittees/JCC/Pages/default.aspx>